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February 3, 2020

Hon. Jeffrey M. Furman
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square Courtroom 1105
New York, New York 10007

Re: Antolini v. Thurman, et al.
Case No.: 19-CV-9674 (JMF) (KNF)

Dear Judge Furman:

This firm represents Defendants, 33 Bre Inc., Harold Thurman and Brad Thurman (the "Defendants") in the above matter.

The Plaintiff's counsel had served the Plaintiff's First Request for Production of Documents, Plaintiff's Request for Production pursuant to Rule 26(a)(2), Plaintiff's First Set of Interrogatories, Plaintiff's First Request for Fact and Expert Witness Interrogatories, and a Rule 34 Inspection Notice. Likewise Defendants served Plaintiff with similar denominated discovery demands on December 23 2019.

Defendants were extended by the court on a first request for an extension to February 3, 2020. Defendants will serve their initial discovery responses today.

Notwithstanding, Defendants are anticipating receipt of an architect's report within the next few days and would request an opportunity to supplement their responses related to the architect's report to be served by February 14, 2020.

The Defendants will be serving a significant document production today, February 3, 2020 in response to the Plaintiff's various discovery demands. However, the architect has advised me that his report has taken longer than anticipated and including due to his being sick with the flu during the interim. Upon receipt of the architect's report, our firm will

need to discuss the matter with the architect as well as with the client in order to supplement their responses.

It should be noted that the Defendants served the Plaintiff with Defendants discovery demand on December 23, 2019 and have not received any responses from the Plaintiff. The Plaintiff, itself requested an adjournment of the initial case conference and the court appearance previously scheduled was therefore adjourned at Plaintiff's request from January 29, 2020 to February 26, 2020.

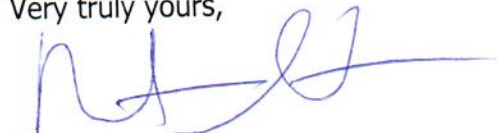
In the interest of having an informed dialogue at a settlement conference, for both Plaintiff and the Defendants, the Defendants would now as its first request for an extension of the settlement conference and court appearance request an adjournment from February 26, 2020 to a date in March 2020. This would be the Defendants first request for an extension of the settlement conference and court appearance. This would be the Defendant's second request for an extension but only as to supplement its responses to discovery demands to be served today February 3, 2020.

During a telephone conversation with Plaintiff's counsel on Thursday, January 30, 2020, Defendant had requested a date by which the Plaintiff would provide responses to the Defendants' discovery demand but did not receive any specific date for such responses. With respect to scheduling a settlement conference, which Defendants now believe would be more meaningful if scheduled in March 2020, Defendants had offered February 20, 2020 at 2:30 pm, the earliest then available date from Judge Fox's coordinator, Laura Midwood. While Plaintiff's counsel was available, I was advised that such date necessarily in any event needed confirmation with his client in order to schedule it.

The Defendants believe that a settlement conference would be most meaningful with the Plaintiff's responses delivered to the Defendants in addition to the Defendant's proper of their own discovery responses, to be served today, and the architectural report to be served with a supplemental response by February 14, 2020, and to have such settlement conference take place together with the pretrial conference in March 2020. This is Defendants' first request for an extension of the settlement conference and the court appearance. This is the Defendants' second request with respect to the discovery demands for the purpose of supplementing their initial responses which will be served today. It is also a request for a discovery response from Plaintiff.

Thank you for your consideration.

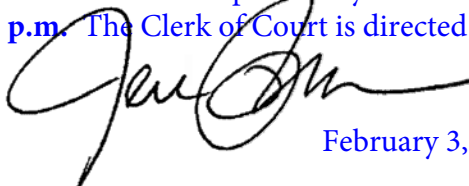
Very truly yours,



Robert G. Silversmith

RGS/fc

Application GRANTED. Defendants shall supplement their response no later than **February 14, 2020**. The initial pretrial conference previously scheduled for February 26, 2020 is ADJOURNED to **March 18, 2020 at 3:15 p.m.** The Clerk of Court is directed to terminate ECF No. 22.



February 3, 2020